

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-SEVENTH LEGISLATIVE DAY
THURSDAY, MARCH 17, 2016

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katherine Nelson, Page.

3RD ORDER

Approval of Journal

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-sixth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 16, 2016

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed within the time limited by law, and am transmitting to the Secretary of State the following House bill, to wit:

[H 445](#)

As Always - Idaho, "Esto Perpetua"
/s/ C.L. "Butch" Otter
Governor

OFFICE OF THE GOVERNOR
Boise

March 16, 2016

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 385](#), [H 432](#), and [H 474](#)

As Always - Idaho, "Esto Perpetua"
/s/ C.L. "Butch" Otter
Governor

March 16, 2016

Mr. Speaker:

I transmit herewith enrolled [S 1279](#), [S 1255](#), [S 1327](#), [S 1352](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), [S 1285](#), as amended, [S 1379](#), [S 1380](#), [S 1381](#), [S 1272](#), [S 1293](#), as amended, [S 1274](#), [S 1275](#), and [S 1283](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1279](#), [S 1255](#), [S 1327](#), [S 1352](#), [S 1240](#), [S 1241](#), [S 1242](#), [S 1278](#), [S 1304](#), [S 1285](#), as amended, [S 1379](#), [S 1380](#), [S 1381](#), [S 1272](#), [S 1293](#), as amended, [S 1274](#), [S 1275](#), and [S 1283](#) and, when so signed, ordered them returned to the Senate.

March 16, 2016

Mr. Speaker:

I return herewith enrolled [H 396](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [H 396](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 16, 2016

Mr. Speaker:

I return herewith [H 531](#), [H 527](#), [H 480](#), [H 525](#), as amended, [H 398](#), [H 454](#), [H 482](#), [H 485](#), [H 501](#), [H 406](#), as amended, [H 443](#), as amended, [H 540](#), [H 523](#), and [H 533](#) which have passed the Senate.

NOVAK, Secretary

[H 531](#), [H 527](#), [H 480](#), [H 525](#), as amended, [H 398](#), [H 454](#), [H 482](#), [H 485](#), [H 501](#), [H 406](#), as amended, [H 443](#), as amended, [H 540](#), [H 523](#), and [H 533](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

5TH ORDER

Report of Standing Committees

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 608](#), [H 609](#), [H 610](#), [H 611](#), [H 612](#), [H 613](#), and [H 614](#).

WILLS, Chairman

[H 608](#), [H 609](#), [H 610](#), [H 611](#), and [H 612](#) were filed for second reading.

[H 613](#) was referred to the State Affairs Committee.

[H 614](#) was referred to the Revenue and Taxation Committee.

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 41](#), [H 389](#), [H 495](#), [H 350](#), [H 378](#), [H 509](#), [H 528](#), [H 515](#), [H 469](#), [H 524](#), [H 356](#), as amended, [H 526](#), [H 511](#), [H 512](#), [H 439](#), [H 504](#), [H 351](#), [H 514](#), [H 483](#), [H 372](#), [H 534](#), [H 535](#), and [H 452](#), as amended in the Senate.

WILLS, Chairman

The Speaker announced he was about to sign enrolled [HCR 41](#), [H 389](#), [H 495](#), [H 350](#), [H 378](#), [H 509](#), [H 528](#), [H 515](#), [H 469](#), [H 524](#), [H 356](#), as amended, [H 526](#), [H 511](#), [H 512](#), [H 439](#), [H 504](#), [H 351](#), [H 514](#), [H 483](#), [H 372](#), [H 534](#), [H 535](#), and [H 452](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 33](#) to the Secretary of State at 1:37 p.m., as of this date, March 16, 2016.

WILLS, Chairman

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 459](#), [H 463](#), [H 476](#), [H 355](#), [H 473](#), [H 381](#), [H 471](#), [H 472](#), [H 332](#), [H 333](#), and [H 334](#) to the Governor at 1:40 p.m., as of this date, March 16, 2016.

WILLS, Chairman

March 16, 2016

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1332](#), as amended, and [S 1376](#) and recommend that they do pass.

DEMORDAUNT, Chairman

[S 1332](#), as amended, and [S 1376](#) were filed for second reading.

March 16, 2016

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1354](#) and [SJM 105](#) and report them back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[S 1354](#) and [SJM 105](#) were placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 615 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO SUBMERSIBLE WELL PUMPS; AMENDING CHAPTER 10, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1001A, IDAHO CODE, TO PROVIDE THAT LISTED SUBMERSIBLE WELL PUMPS ARE APPROVED FOR USE IN LAKES, RIVERS, PONDS AND STREAMS, TO PROVIDE THAT CERTAIN REGULATIONS SHALL NOT APPLY AND TO PROVIDE THAT THE DIVISION OF BUILDING SAFETY SHALL PROMULGATE RULES; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.

HOUSE BILL NO. 616 BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO EMERGENCY COMMUNICATIONS; AMENDING CHAPTER 48, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-4820, IDAHO CODE, TO PROVIDE DUTIES OF WIRELESS TELECOMMUNICATIONS CARRIERS REGARDING EMERGENCY SITUATIONS AND TO PROVIDE DUTIES OF THE IDAHO STATE POLICE.

HOUSE BILL NO. 617 BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2017; PROVIDING FOR EXPENDITURES TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2017; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2017; AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE THE BASE SALARY FOR ADMINISTRATORS; AND LIMITING THE DISTRIBUTION TO SCHOOL DISTRICTS AND CHARTER SCHOOLS FOR CONTINUOUS IMPROVEMENT PLANNING AND TRAINING.

HOUSE BILL NO. 618 BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2017; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2017; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS

EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2017; DIRECTING THE USE OF MONEYS FOR PROFESSIONAL DEVELOPMENT, TRAINING AND ASSISTANCE; AND DEFINING THE TERM "DISTRIBUTED."

HOUSE BILL NO. 619
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2017; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2017; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF OPERATIONS FOR FISCAL YEAR 2017; AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE THE BASE SALARY FOR CLASSIFIED STAFF; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS PER SUPPORT UNIT AT \$25,696; DIRECTING THE USE OF APPROPRIATION FOR INFORMATION TECHNOLOGY STAFFING COSTS; DIRECTING THE USE OF APPROPRIATION FOR CLASSROOM TECHNOLOGY; DIRECTING THE USE OF APPROPRIATION FOR INSTRUCTIONAL MANAGEMENT SYSTEMS; DEFINING THE TERM "DISTRIBUTED"; AND GRANTING THE AUTHORITY TO TRANSFER APPROPRIATIONS AMONG SIX DIVISIONS OF THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM.

HOUSE BILL NO. 620
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2017; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2017; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2017; PROVIDING LEGISLATIVE INTENT RELATING TO THE IDAHO DIGITAL LEARNING ACADEMY; DIRECTING THE USE OF TOBACCO, CIGARETTE AND LOTTERY INCOME TAX MONEYS; DIRECTING THE USE OF APPROPRIATION FOR LITERACY PROGRAMS AND REMEDIATION; DIRECTING THE USE OF APPROPRIATION FOR LIMITED ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE STATE DEPARTMENT OF EDUCATION TO COMPILE INFORMATION ON ADVANCED OPPORTUNITIES; PROVIDING A TRANSFER TO THE COMMISSION ON HISPANIC AFFAIRS; PROVIDING DIRECTION TO THE IDAHO DIGITAL LEARNING ACADEMY; PROVIDING A TRANSFER TO IDAHO STATE POLICE; DIRECTING THE USE OF FUNDS FOR GIFTED AND TALENTED STUDENTS; AND DEFINING THE TERM "DISTRIBUTED."

HOUSE BILL NO. 621
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF FACILITIES FOR FISCAL YEAR 2017; PROVIDING THE NECESSARY FUNDS FOR THE BOND LEVY EQUALIZATION PROGRAM; AND LIMITING THE AMOUNT OF FUNDS DISTRIBUTED TO THE GENERAL FUND FOR FISCAL YEAR 2017.

HOUSE BILL NO. 622
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2017; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2017; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; AND APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2017.

HOUSE BILL NO. 623
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2017; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2017; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2017; DIRECTING THE USE OF APPROPRIATION FOR THE SUPPORT OF LITERACY PROGRAMS, INTERVENTION SERVICES FOR NON-TITLE I SCHOOLS AND MATH INITIATIVE PROGRAMS, AND FOR NON-ENGLISH OR LIMITED ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE USE OF APPROPRIATION FOR STUDENT ASSESSMENTS; DIRECTING THE USE OF APPROPRIATION FOR TEACHER AND ADMINISTRATIVE POSITIONS PERFORMANCE EVALUATIONS; DIRECTING THE USE OF APPROPRIATION FOR WIRELESS TECHNOLOGY INFRASTRUCTURE; DIRECTING THE USE OF APPROPRIATION FOR PROFESSIONAL DEVELOPMENT; PROVIDING LEGISLATIVE INTENT FOR CONTENT AND CURRICULUM RELATED TO DIGITAL CONTENT AND CREDIT RECOVERY; PROVIDING GUIDANCE ON YEAR-END RECONCILIATION; PROVIDING LEGISLATIVE INTENT FOR CONTENT AND CURRICULUM RELATED TO TECHNOLOGY; PROVIDING DIRECTION FOR THE DEVELOPMENT OF AN ONLINE

PORTAL; AND DEFINING THE TERMS "DISTRIBUTED" AND "EXPENDED."

[H 615](#), [H 616](#), [H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), and [H 623](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

10TH ORDER

Second Reading of Bills and Joint Resolutions

[H 597](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1325](#) and [SJM 106](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1359](#), by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

[H 580](#), by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

[HCR 52](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[S 1351](#), [S 1361](#), [SCR 143](#), and [SCR 144](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[H 582](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[HCR 53](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

[HCR 55](#), by Resources and Conservation Committee, was read the second time by title and filed for third reading.

[S 1338](#), by Resources and Environment Committee, was read the second time by title and filed for third reading.

[S 1347](#), as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), and [S 1403](#), by Finance Committee, were read the second time by title and filed for third reading.

11TH ORDER

Third Reading of Bills and Joint Resolutions

[S 1323](#) - INDEPENDENT LIVING COUNCIL

[S 1323](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Beyeler to open debate.

The question being, "Shall [S 1323](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, McCrostie, McDonald, Mendive, Miller, Monks, Moyle, Nielsen, Nye, Palmer, Pence, Perry, Raybould,

Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 65.

NAYS – McMillan, Nate, Scott. Total – 3.

Absent – Malek, Packer. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1323](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1341](#), as amended - RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES

[S 1341](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Packer to open debate.

Pursuant to Rule 38(3), Mr. DeMordaunt disclosed a conflict of interest regarding [S 1341](#), as amended.

The question being, "Shall [S 1341](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [S 1341](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mrs. Batt asked unanimous consent that [SJM 106](#) be returned to the State Affairs Committee. There being no objection, it was so ordered.

[S 1395](#) - APPROPRIATIONS - DIVISION OF VOCATIONAL REHABILITATION

[S 1395](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [S 1395](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Dayley, DeMordaunt, Erpelding, Gannon, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, Mendive, Miller, Monks, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Thompson, Troy, VanOrden, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 56.

NAYS – Barbieri, Batt, Crane, Dixon, Harris, McMillan, Moyle, Nate, Nielsen, Scott, Sims, Trujillo, Vander Woude. Total – 13.

Absent – Gestrin. Total – 1.
Total – 70.

Whereupon the Speaker declared that [S 1395](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1396](#) - APPROPRIATIONS - LIEUTENANT GOVERNOR

[S 1396](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [S 1396](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.
Absent – Gestrin. Total – 1.
Total – 70.

Whereupon the Speaker declared that [S 1396](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1397](#) - APPROPRIATIONS - STATE CONTROLLER

[S 1397](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

At this time, Mr. Moyle took the Chair.

The question being, "Shall [S 1397](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 68.

NAYS – Harris, Moyle. Total – 2.
Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1397](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[SCR 136](#) - ESPA MANAGED RECHARGE

[SCR 136](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Raybould and Mr. Bedke to open debate.

Mr. Bedke asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of [SCR 136](#). There being no objection it was so ordered.

Mr. Dayley asked unanimous consent that, pursuant to Rule 22, discussion of other pending legislation be allowed in debate of [SCR 136](#). There being no objection it was so ordered.

Pursuant to Rule 38(3), Mr. Nye disclosed a conflict of interest regarding [SCR 136](#).

Pursuant to Rule 38(3), Mrs. Batt disclosed a conflict of interest regarding [SCR 136](#).

The question being, "Shall [SCR 136](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.
Absent – Perry. Total – 1.
Total – 70.

Whereupon the Speaker Pro Tem declared [SCR 136](#) adopted and ordered the resolution returned to the Senate.

[SCR 137](#) - AQUIFERS

[SCR 137](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Raybould and Mr. Bedke to open debate.

Pursuant to Rule 38(3), Mr. Nye disclosed a conflict of interest regarding [SCR 137](#).

The question being, "Shall [SCR 137](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 68.

NAYS – Batt. Total – 1.
Absent – Perry. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared [SCR 137](#) adopted and ordered the resolution returned to the Senate.

SCR 138 - WATER

[SCR 138](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Raybould to open debate.

Pursuant to Rule 38(3), Mr. Nye disclosed a conflict of interest regarding [SCR 138](#).

The question being, "Shall [SCR 138](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 68.

NAYS – None.

Absent – Chew, Perry. Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared [SCR 138](#) adopted and ordered the resolution returned to the Senate.

Mr. Crane asked unanimous consent that the House recess until 1:35 p.m.

Without objection, the Speaker Pro Tem declared the House at recess until 1:35 p.m.

RECESS

Afternoon Session

The House reconvened at 1:35 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

5TH ORDER

Report of Standing Committees

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 615](#), [H 616](#), [H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), and [H 623](#).

WILLS, Chairman

[H 615](#) and [H 616](#) were referred to the State Affairs Committee.

[H 617](#), [H 618](#), [H 619](#), [H 620](#), [H 621](#), [H 622](#), and [H 623](#) were filed for second reading.

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1382](#) and recommend that it do pass.

WOOD, Chairman

[S 1382](#) was filed for second reading.

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 603](#) and [S 1342](#), as amended, and recommend that they do pass.

DEMORDAUNT, Chairman

[H 603](#) and [S 1342](#), as amended, were filed for second reading.

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 606](#) and report it back with amendments attached to be placed on General Orders for consideration.

COLLINS, Chairman

[H 606](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 58

BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REQUESTING THAT THE IDAHO DEPARTMENT OF COMMERCE INVESTIGATE IMPROVING BROADBAND SERVICE IN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, broadband service is a vital necessity for effective commerce in the twenty-first century; and

WHEREAS, the State of Idaho has not had consistent leadership on broadband mapping, promotion or development; and

WHEREAS, Idaho businesses have repeatedly told the Legislature that telecommunication infrastructure is an important consideration in their decisions to expand or change location; and

WHEREAS, communities in Idaho are dependent on broadband for health care, public safety, education and commerce; and

WHEREAS, the ability to "connect" is especially vital to smaller businesses in our rural communities; and

WHEREAS, average broadband speed in Idaho is well below the recommended 25 megabits-per-second level; and

WHEREAS, Idaho is ranked 47th among the states in overall connectivity, which is a detriment to attracting business.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature requests that the Idaho Department of Commerce investigate developing the capacity to coordinate and lead broadband development in Idaho.

BE IT FURTHER RESOLVED that the Legislature requests that the Idaho Department of Commerce report its progress to the First Regular Session of the Sixty-fourth Idaho Legislature.

[HCR 58](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 624

BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO HIGHWAY FUNDING; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE APPORTIONMENT PROVISIONS REGARDING THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 49-457, IDAHO CODE, TO PROVIDE AN EXCEPTION REGARDING FEES FOR ELECTRIC VEHICLES, TO REMOVE FEE PROVISIONS REGARDING HYBRID VEHICLES AND TO REMOVE A DEFINITION; AND PROVIDING SEVERABILITY.

[H 624](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

[H 597](#) - BREWERIES

Mr. Crane moved that all rules of the House interfering with the immediate consideration of [H 597](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 597](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, McCrostie, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 64.

NAYS – None.

Absent – Beyeler, Burtenshaw, Chew, Malek, McDonald, Rubel. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 597](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Dixon to open debate.

The question being, "Shall [H 597](#) pass?"

Roll call resulted as follows:

AYES – Anderst, Barbieri, Batt, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Luker, McCrostie, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 59.

NAYS – Anderson, Andrus, Bateman, Bell, Hartgen, Loertscher, Nielsen. Total – 7.

Absent – Chew, Malek, McDonald, Rubel. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 597](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 582](#) - LANDS

Mr. Crane moved that all rules of the House interfering with the immediate consideration of [H 582](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 582](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, McCrostie, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 64.

NAYS – None.

Absent – Beyeler, Burtenshaw, Chew, Malek, McDonald, Rubel. Total – 6.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 582](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [H 582](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Kauffman,

Kerby, Loertscher, Luker, Malek, McMillan, Mendive, Miller, Monks, Nate, Nielsen, Packer, Palmer, Perry, Raybould, Redman, Scott, Shepherd, Sims, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wood, Youngblood, Mr. Speaker. Total – 53.

NAYS – Chew, Erpelding, Gannon, Jordan, King, Kloc, McCrostie, Nye, Pence, Romrell, Rudolph, Rusche, Smith, Wintrow. Total – 14.

Absent – McDonald, Moyle, Rubel. Total – 3.
Total – 70.

Whereupon the Speaker declared that [H 582](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 55](#) - FISH AND GAME - RULE REJECTION

Mr. Crane moved that all rules of the House interfering with the immediate consideration of [HCR 55](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HCR 55](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Boyle, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, McCrostie, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 64.

NAYS – None.

Absent – Beyeler, Burtenshaw, Chew, Malek, McDonald, Rubel. Total – 6.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HCR 55](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood to open debate.

The question being, "Shall [HCR 55](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, McCrostie, McMillan, Mendive, Miller, Monks, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 66.

NAYS – None.

Absent – Malek, McDonald, Moyle, Rubel. Total – 4.
Total – 70.

Whereupon the Speaker declared [HCR 55](#) adopted and ordered the resolution transmitted to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

5TH ORDER Report of Standing Committees

March 17, 2016

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1377](#) and [S 1389](#) and recommend that they do pass.

LOERTSCHER, Chairman

[S 1377](#) and [S 1389](#) were filed for second reading.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER Announcements

Announcements were made to the body.

16TH ORDER Adjournment

Mr. Crane moved that the House adjourn until 10 a.m., Friday, March 18, 2016. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:10 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CHRIS TAYLOR, Acting Chief Clerk